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June 13, 2022

**VIA ECF**

Hon. Paul A. Engelmayer, U.S.D.J.  
United States District Court, Southern District of New York  
40 Foley Square, Room 2201  
New York, New York 10007

**Re: Calise v. Casa Redimix Concrete Corporation**  
**Case No.: 1:20-cv-07164-PAE**

Dear Judge Engelmayer:

The firm represents defendant Casa Redimix Concrete Corporation in the above matter.

I write to respectfully request a temporary stay of the fact discovery and subsequent deadlines set forth in the Civil Case Management Plan and Scheduling Order ("the Order") entered on February 23, 2022 (ECF No. 47), pending Plaintiff Brian Calise's change in counsel and the anticipated entry of a new Scheduling Order as a result. There have been no prior requests impacting those deadlines.

Defendant has diligently pursued discovery since the entry of the Order so that its discovery needs could be met by the current June 17 fact discovery deadline. On March 15, 2022, we served Defendant's Second Request for Production of Documents, Defendant's Second Set of Interrogatories, and Defendant's Second Notice to Take Plaintiff's Deposition, along with a deficiency letter regarding Plaintiff's initial discovery responses, including the failure to respond to Defendant's First Set of Interrogatories. After receiving only an e-mail indicating Plaintiff claimed to have no further documents (which we do not believe to be true), we served a second deficiency letter on April 19, 2022.

In response, we received assurances that the outstanding discovery responses would be produced. To date, however, we have received only a single authorization for the release of Plaintiff's medical records, which did not fully cover the claims and issues in this case, which include claims relating to alleged disability-based discrimination. After we requested further

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discovery obligation compliance and deposition dates, Plaintiff's counsel advised, on June 1, 2022, that he would no longer be representing Plaintiff.

It is our understanding that a substitution of counsel is imminent. Once that occurs, a new fact discovery deadline will be needed. Accordingly, so that Defendant is not prejudiced by Plaintiff's discovery delinquencies and change in counsel, we respectfully request that the remaining dates in the Order be stayed pending the entry of a new Scheduling Order.

Plaintiff's current counsel consents to the stay request. We thank the Court for considering it.

Respectfully submitted,

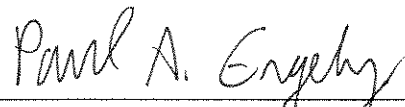
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*s/ Keith J. Rosenblatt*

Keith J. Rosenblatt

cc: Thomas M. Lancia, Esq. (via ECF)

The parties are directed to submit a status update on the progress of discovery and a proposed amended case management plan by June 17, 2022. SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge  
6/13/22